



# House of Representatives

General Assembly

**File No. 367**

*January Session, 2007*

Substitute House Bill No. 6991

*House of Representatives, April 5, 2007*

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING CONTRACTORS PERFORMING WORK IN SCHOOLS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2007*) (a) Any contractor who  
2       enters into a contract with a local or regional board of education for the  
3       performance of maintenance, repair or landscaping work at any school  
4       or on the grounds of any school shall, as a condition of such contract  
5       and prior to the performance of such work, provide such board of  
6       education with a list of the names, addresses and dates of birth of all  
7       employees or subcontractors of such contractor who will be  
8       performing such work. The list shall be provided on a form prescribed  
9       by the board of education. The form shall contain a notice that the  
10      information is provided subject to the penalty of false statement under  
11      section 53a-157b of the general statutes.

12      (b) (1) Except as provided for in subsection (c) of this section, the  
13      local or regional board of education shall access the registry

14 maintained by the Department of Public Safety pursuant to chapter  
 15 969 of the general statutes and determine if any of such employees or  
 16 subcontractors is registered or required to register as a sexual offender  
 17 under said chapter.

18 (2) No local or regional board of education shall permit a person  
 19 who is registered or required to register as a sexual offender under  
 20 chapter 969 of the general statutes to perform maintenance, repair or  
 21 landscaping work at any school or on the grounds of any school.

22 (c) In the event of an emergency where there is insufficient time for  
 23 the local or regional board of education to make a determination  
 24 pursuant to subdivision (1) of subsection (b) of this section about a  
 25 potential employee or subcontractor, the board may allow such person  
 26 to perform work described in subsection (a) of this section, if such  
 27 person is continually supervised by an employee of the board while in  
 28 a school or on the grounds of any school under the jurisdiction of the  
 29 board.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	New section

**Statement of Legislative Commissioners:**

In section 1(a), language was added re notice on the form, in compliance with section 53a-157b of the general statutes and the intent of the committee.

**ED**

*Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	None	None	None

**Explanation**

Local and regional school districts will not incur any additional costs in checking the state's sex offender registry against the lists of contractor employees submitted to them by contractors working on school grounds as the registry is available without charge on the Internet.

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**OLR Bill Analysis****sHB 6991*****AN ACT CONCERNING CONTRACTORS PERFORMING WORK IN SCHOOLS.*****SUMMARY:**

This bill prohibits boards of education from allowing anyone who is registered or required to register as a sex offender under Connecticut law to do maintenance, repair, or landscaping work in a school or on school grounds.

It requires each contractor hired for such work, before starting the work and as a condition of the contract, to give the board a certified list of its employees or subcontractors who will be doing the work. The list must have each employee's or subcontractor's name, address, and birth date. It must be on a form the board prescribes that contains a notice that the information provided is subject to the criminal penalty for second-degree false statement.

The board of education must check the Department of Public Safety's (DPS) sex offender registry to determine if any of the workers is registered or is required to register. In emergencies, when a board does not have enough time to check the registry, it may allow a worker it has not checked to do such work, but only if the worker is continually supervised by a school-board employee while on school grounds.

EFFECTIVE DATE: July 1, 2007

**BACKGROUND*****Sex Offender Registry***

By law, crimes that require a person to register as a sex offender are

crimes against minors, violent and nonviolent sexual offenses in other jurisdictions, and felonies committed for sexual purposes. The DPS's registry lists both offenders who have registered and those who are required to register.

***Second-Degree False Statement***

A person is guilty of false statement in the second degree when deliberately making a written statement under oath or on any form that, by law, contains a notice that lying on the form is punishable, that (1) the person does not believe to be true and (2) is intended to mislead a public servant in performance of an official function. The offense is a Class A misdemeanor, punishable by up to one year in prison, a fine of up to \$2,000, or both (CGS § 53a-157b).

***School Board Employee Background Checks***

Employees of local and regional boards of education are subject to state and federal criminal history records checks before being employed to work in schools (CGS § 10-221d).

**COMMITTEE ACTIONS**

Education Committee

Joint Favorable Substitute

Yea    25        Nay   4        (03/19/2007)